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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N		
09/530,196	08/22/2000	Nobuo Kimura	31981-160441	2129		
75	90 10/20/2004	**	EXAMINER			
Venable Post Office Box 34385			JOHNSON, EDWARD M			
washington, DO	C 20043-9998		ART UNIT	PAPER NUMBER		
		-	1754			

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   App						
Examiner  Examiner  Examiner  Edward M. Johnson  1754	. *		Application	on No.	Applicant(s)	
Columb   C	•	Office Action Com	09/530,19	96	KIMURA ET AL.	
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensive of the reply be seniable under the provisions of 3 CFR 1.13(s). In one vent, however, may a reply be linely filed with 100 CP MACHTIS from the halling date of this communication.  Fellow 100 CP MACHTIS from the malling date of the communication.  If the period or reply is specified above, the maximum statutory period will gain yet will be considered treply.  If NO peads of the reply is a period above, the maximum atter the realisting date of this communication, over if timely filed, may reduce a file to communication.  If No peads the malling date of the communication is the period of the communication of the communicati		Office Action Summary	Examiner		Art Unit	
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Status   1  Responsive to communication(s) filed on \$\textit{06} \textit{August 2004}\$.   20  \  \  \textit{This action is FINAL.} \\ \textit{2b} \rightarrow \textit{This action is non-final.} \  \]   3  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under \$Ex\$ parte \$Quayle\$, 1935 C.D. 11, 453 O.G. 213.     Disposition of Claims   15/40 and 15/40	I HE - Exte after - If the - If NC - Failu Any	MAILING DATE OF THIS COMMUNICATI insions of time may be available under the provisions of 37 C SIX (6) MONTHS from the mailing date of this communication is period for reply specified above is less than thirty (30) days, by period for reply is specified above, the maximum statutory pure to reply within the set or extended period for reply will, by reply received by the Office later than three months after the	ON. FR 1.136(a). In no eve on. , a reply within the statu period will apply and will statute cause the appl	ent, however, may a reply be tin story minimum of thirty (30) day I expire SIX (6) MONTHS from	nely filed s will be considered timely the mailing date of this co	y. ommunication.
2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3] ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 18 and 23-39 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) 21 and 22 are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1 ☐ Certified copies of the priority documents have been received. 2 ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Itachment(s)*   Notice of References Cited (PTO-892)   None of:   One of Dratsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date		52 parameter (a).				
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### DETAILED ACTION

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 18 and 23-39 are rejected under 35 U.S.C. 102(b) as being anticipated by WO97/00134 (U.S. Pat. No. 6,228,480 referred to for translation).

Regarding claim 18, Kimura '480 discloses a photocatalyst-carrying structure comprising a photocatalyst film laminated (see column 15, lines 44-46 and column 37, lines 12-15; laminating involves heat and pressing) onto a metallic substrate (see column 4, lines 8-9); and coating by dipping, drying the adhesive layer (see Examples 67-71), adding a silane coupler (see column 7, lines 39-41) and laminating (see column 15, lines 44-46 and column 37, lines 12-15). Kimura '480 does not irradiate UV rays in UV-A range at a strength of 3 mW/cm² under an atmospheric temperature of 25 °C and relative humidity of 70%, the conditions upon which the recitation "capable of decomposing triolein at a rate of 5 µg/cm²/day" is made contingent.

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Therefore, the claim is considered to be anticipated. Further, the recited physical properties appear to be inherent characteristics of the photocatalyst produced in the manner disclosed in Suzue '480, since it is produced with the same lamination step. See *In re Fitzgerald et al.*, supra.

Regarding claims 23-26, 35-39, Kimura '480 discloses a colored steel or aluminum plate (see column 13, lines 11-25), polyvinylchloride and polymethylmethacrylate resins (see column 14, lines 16-25).

Regarding claims 27, 31, and 34 Kimura '480 discloses 5 microns or less (see column 10, lines 57-63).

Regarding claim 28, Kimura '480 discloses a silane coupler (see column 7, lines 39-41).

Regarding claim 29, Kimura '480 discloses 0.001-5% silicon compound in the solution (see column 8, lines 58-61) and 10-50% silicon-modified resin (see column 8 lines 1-3).

Regarding claim 30, Kimura '480 discloses 0.001-5% silicon compound in the solution (see column 8, lines 58-61) and methyl trimethoxysilane (see column 9, lines 16-18) as silicon compound, which is in an amount of 0.001 to 5% (see column 9, lines 26-30).

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Regarding claim 32, Kimura '480 discloses 0.1-30% metal oxide sol (see column 9, lines 52-53) and titanium dioxide in an amount of 5% (see column 33, lines  $28\frac{1}{2}$ 30 and Table 6).

Regarding claim 33, Kimura '480 discloses silica sol acidified with nitric acid (see Examples 74-77) 2-60% silicon and 5-40% colloidal silica (see column 3, lines 35-38).

## Response to Arguments

3. Applicant's arguments filed 12/17/03 have been fully considered but they are not persuasive.

It is argued that the U.S. PTO Examiner's attention is...
'480. This is not persuasive because Kimura discloses
lamination, which inherently involves heat and pressing.

It is argued that moreover, Kimura does not describe the structural result... 18 and 23 et seq. This is not persuasive because Kimura discloses and coating by dipping, drying the adhesive layer (see Examples 67-71), adding a silane coupler (see column 7, lines 39-41) and laminating (see column 15, lines 44-46 and column 37, lines 12-15).

#### Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward M. Johnson whose telephone number is 571-272-1352. The examiner can normally be reached on M-F 9:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley S. Silverman can be reached on 571-272-1358. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-0987.

EMJ October 18, 2004 Im Mid